

**CARDER**  
**35564**



***ROANOKE CITY COUNCIL***  
***REGULAR SESSION***

***September 17, 2001***  
***2:00 P.M.***

***CITY COUNCIL CHAMBER***

***AGENDA FOR THE COUNCIL***

- 1. Call to Order--Roll Call.** Council Member White was absent.

The Invocation was delivered by The Reverend Amos Rideout,  
Pastor, South Roanoke United Methodist Church.

The Pledge of Allegiance to the Flag of the United States of  
America was led by Mayor Ralph K. Smith.

Welcome. Mayor Smith.

## **NOTICE:**

Meetings of Roanoke City Council are televised live on RVTV Channel 3. Today's meeting will be replayed on Channel 3 on Thursday, September 20, 2001, at 7:00 p.m., and Saturday, September 22, 2001, at 4:00 p.m. Council meetings are now being offered with closed captioning for the hearing impaired.

## **ANNOUNCEMENTS:**

**THE PUBLIC IS ADVISED THAT MEMBERS OF COUNCIL RECEIVE THE CITY COUNCIL AGENDA AND RELATED COMMUNICATIONS, REPORTS, ORDINANCES AND RESOLUTIONS, ETC., ON THE THURSDAY PRIOR TO THE COUNCIL MEETING TO PROVIDE SUFFICIENT TIME FOR REVIEW OF INFORMATION. CITIZENS WHO ARE INTERESTED IN OBTAINING A COPY OF ANY ITEM LISTED ON THE AGENDA MAY CONTACT THE CITY CLERK'S OFFICE, ROOM 456, NOEL C. TAYLOR MUNICIPAL BUILDING, 215 CHURCH AVENUE, S. W., OR CALL 853-2541.**

**THE CITY CLERK'S OFFICE NOW PROVIDES THE CITY COUNCIL AGENDA PACKAGE ON THE INTERNET FOR VIEWING AND RESEARCH PURPOSES. TO ACCESS THE AGENDA MATERIAL, GO TO THE CITY'S HOMEPAGE AT [www.roanokegov.com](http://www.roanokegov.com), CLICK ON THE ROANOKE CITY COUNCIL ICON, CLICK ON MEETINGS AND AGENDAS, AND DOWNLOAD THE ADOBE ACROBAT SOFTWARE TO ACCESS THE AGENDA.**

**ALL PERSONS WISHING TO ADDRESS COUNCIL ARE REQUESTED TO REGISTER WITH THE STAFF ASSISTANT WHO IS LOCATED AT THE ENTRANCE TO THE COUNCIL CHAMBER. ON THE SAME AGENDA ITEM, ONE TO FOUR SPEAKERS WILL BE ALLOTTED FIVE MINUTES EACH, HOWEVER, IF THERE ARE MORE THAN FOUR SPEAKERS, EACH SPEAKER WILL BE ALLOTTED THREE MINUTES.**

**ANY PERSON WHO IS INTERESTED IN SERVING ON A CITY COUNCIL APPOINTED AUTHORITY, BOARD, COMMISSION OR COMMITTEE IS REQUESTED TO CONTACT THE CITY CLERK'S OFFICE AT 853-2541 TO OBTAIN AN APPLICATION.**

## **PRESENTATIONS:**

A RESOLUTION recognizing the services of Robert H. Bird as Municipal Auditor for the City of Roanoke.

**Adopted Resolution No. 35564-091701. (6-0)**  
**File #80-184-280**

Proclamation declaring the month of October as "National Disability Employment Awareness Month".  
**File #3-353**

## **2. CONSENT AGENDA**

**(APPROVED 6-0)**

**ALL MATTERS LISTED UNDER THE CONSENT AGENDA ARE CONSIDERED TO BE ROUTINE BY THE MEMBERS OF CITY COUNCIL AND WILL BE ENACTED BY ONE MOTION. THERE WILL BE NO SEPARATE DISCUSSION OF THE ITEMS. IF DISCUSSION IS DESIRED, THE ITEM WILL BE REMOVED FROM THE CONSENT AGENDA AND CONSIDERED SEPARATELY.**

- C-1           A communication from Mayor Ralph K. Smith requesting that Council convene in Closed Session to discuss vacancies on various authorities, boards, commissions and committees appointed by Council, pursuant to Section 2.1-344 (A)(1), Code of Virginia (1950), as amended.

**RECOMMENDED ACTION:** Concur in request.  
**File #110-132**

- C-2           A communication from Council Member C. Nelson Harris, Chair, Personnel Committee, requesting that Council meet in Closed Session to discuss appointment of a new Municipal Auditor, pursuant to Section 2.1-344 (A)(1), Code of Virginia (1950), as amended.

RECOMMENDED ACTION: Concur in request.

**File #132-280**

- C-3           A communication from Willard G. Light tendering his resignation as a member of the Board of Zoning Appeals, effective immediately.

RECOMMENDED ACTION: Receive and file communication and accept resignation.

**File #51-110**

- C-4           Qualification of Margaret C. Thompson as a member of the Human Services Committee for a term ending June 30, 2002.

RECOMMENDED ACTION: Receive and file.

**File #15-72-110**

## **REGULAR AGENDA**

### **3. HEARING OF CITIZENS UPON PUBLIC MATTERS:**

- a.       Request to present an update on the Master Plan for the Roanoke Valley Cultural Institutions. Susan Jennings, Executive Director, The Arts Council of the Blue Ridge.

**Ms. Jennings requested that Council adopt a measure endorsing the Master Plan for the Roanoke Valley Cultural Institutions. The request was referred to the City Manager for appropriate response.**

**File #394**

#### **4. PETITIONS AND COMMUNICATIONS: NONE.**

#### **5. REPORTS OF OFFICERS:**

a. CITY MANAGER:

BRIEFINGS: NONE.

ITEMS RECOMMENDED FOR ACTION:

1. A communication recommending acceptance of the bid submitted by Magic City Motor Corporation for purchase of automobiles for the Fire and Police Departments, in the amount of \$435,537.00.

**Adopted Resolution No. 35565-091701. (6-0)**  
**File #5-70-472**

2. A communication with regard to competitive negotiation for goods and services.

**Adopted Resolution No. 35566-091701. (6-0)**  
**File #24-361-497**

3. A communication recommending authorization to continue services of the Outstationed Eligibility Worker at the Health Department; and appropriation of \$33,234.00 in connection therewith.

**Adopted Budget Ordinance No. 35567-091701 and Resolution No. 35568-091701. (6-0)**  
**File #60-22-72**

4. A communication recommending appropriation of \$117,490.00 in connection with the Fifth District Employment and Training Consortium Welfare to Work program.

**Adopted Budget Ordinance No. 35569-091701. (6-0)**  
**File #60-72-246**

**Ms. Wyatt requested that the City Manager submit a status report with regard to recipients using the Fifth District Employment and Training Consortium Welfare to Work program and the impact that the program has had on the City, local churches, non-profit agencies, etc.**

5. A communication recommending adoption and implementation of a policy on HUD funds as part of the budgeting process for Fiscal Year 2002-2003.

**Adopted Resolution No. 35570-091701. (6-0)  
File #60-172-236**

6. A communication recommending execution of certain documents accepting the Office on Youth grant; and appropriation of \$40,705.00 in connection therewith.

**Adopted Budget Ordinance No. 35571-091701 and  
Resolution No. 35572-091701. (6-0)  
File #60-236-304**

7. A communication recommending acceptance of the bid submitted by Horner Flooring Co., Inc., for a portable basketball floor at the Roanoke Civic Center, in the amount of \$78,500.00.

**Adopted Budget Ordinance No. 35573-091701 and  
Resolution  
Nos. 35574-091701 and 35575-091701. (6-0)  
File #60-192-472**

8. A communication recommending execution of an Agreement with Roanoke Foundation for Downtown, Inc., for the Mounted Patrol Unit.

**Adopted Resolution No. 35576-091701. (6-0)  
File #5-277**

9. A communication recommending acceptance of the bid of Hoffend South, Inc., for a new fire curtain at the Roanoke Civic Center, in the amount of \$76,786.00.

**Adopted Ordinance No. 35577-091701. (6-0)  
File #5-192-472**

10. A communication with regard to amendment of Section 36.1-640 of the Code of the City of Roanoke (1979), as amended, with regard to Architectural Review Board appointments.

**Adopted Ordinance No. 35578-091701. (5-0, Council Member Hudson was out of the Council Chamber.)  
File #24-249**

11. A communication with regard to an amendment to the zoning ordinance providing for printing establishments in C-2, C-3, and LM districts; and the scheduling of a joint public hearing by the City Planning Commission and City Council on Thursday, October 18, 2001, at 7:00 p.m., or as soon thereafter as the matter may be heard.

**Adopted Ordinance No. 35579-091701. (5-0, Council Member Hudson was out of the Council Chamber.)  
File #24-51**

**The public hearing with regard to the abovementioned will be held on Thursday, October 18, 2001, by the City Planning Commission at 1:30 p.m., location to be determined; and by City Council at 7:00 p.m., in the City Council Chamber .**

b. CITY ATTORNEY:

1. A report transmitting a measure in connection with authorizing the Municipal Auditor to perform audits of records and affairs of the Roanoke City School Board.

**Adopted Ordinance No. 35580-091701 and Resolution No. 35581-091701. (5-0, Council Member Hudson was out of the Council Chamber.)  
File #10-280-467**

c. **DIRECTOR OF FINANCE:**

1. A report in connection with the sale of property in which assessed real estate taxes have remained delinquent for one year.

**Adopted Ordinance No. 35582-091701. (6-0)**  
**File #2-24-140**

**6. REPORTS OF COMMITTEES:**

- a. A report of the City Planning Commission recommending adoption of a resolution renaming the Second Street Bridge as Gainsboro Bridge.

**Adopted Resolution No. 35583-091701. (6-0)**  
**File #102-200**

**7. UNFINISHED BUSINESS: NONE.**

**8. INTRODUCTION AND CONSIDERATION OF ORDINANCES AND RESOLUTIONS: NONE.**

**9. MOTIONS AND MISCELLANEOUS BUSINESS:**

- a. Inquiries and/or comments by the Mayor, Vice-Mayor and Members of City Council.

**Council Member Wyatt called upon the citizens of Roanoke to perform good deeds on a daily basis as the Nation begins to heal as a result of the terrorists' attacks in New York, Washington and Pennsylvania on Tuesday, September 11.**  
**File #132**



**Council Member Carder announced that the Taste of the Blues and Jazz Festival would be held on Saturday, September 21 in Elmwood Park. He further stated that the group working with the City Manager on the issue of naming a public facility after the late Dr. Martin Luther King, Jr., has recommended that Elmwood Park be considered. The City Manager and the City Clerk were requested to advertise a public hearing to receive citizen input with regard to the recommendation.**

**File #67-87-132**

**Council Member Bestpitch asked the citizens of the City of Roanoke to keep Council Member White and the City Clerk , who had both lost loved ones within the last week, in their thoughts and prayers.**

**File #38-80-132**

**Council Member Hudson announced that the American Legion Post No. 3 will hold a meeting on Thursday, September 20 at 7:00 p.m., at 710 Apperson Drive, S. W., to receive citizen comments with regard to relief efforts as a result of the tragic event that occurred on Tuesday, September 11.**

**File #132-188**

- b. Vacancies on various authorities, boards, commissions and committees appointed by Council.

## **10. OTHER HEARING OF CITIZENS UPON PUBLIC MATTERS:**

### **CERTIFICATION OF CLOSED SESSION. (6-0)**

**Appointed Tamara Asher as a member of the Personnel and Employment Practices Commission for a term ending June 30, 2004.**

**AT 5:10 P.M., THE ROANOKE COUNCIL MEETING WAS DECLARED IN RECESS TO BE RECONVENED IN THE EMERGENCY OPERATIONS CENTER CONFERENCE ROOM, ROOM 159, NOEL C. TAYLOR MUNICIPAL BUILDING, 215 CHURCH AVENUE, S. W., FOR A JOINT MEETING BETWEEN CITY COUNCIL AND THE BOARD OF ZONING APPEALS.**



***JOINT MEETING  
CITY COUNCIL/BOARD OF ZONING APPEALS***

***5:00 p.m.***

***EMERGENCY OPERATIONS CENTER  
CONFERENCE ROOM***

- 1. Introduction and General Comments. Benjamin S. Motley, Chair, Board of Zoning Appeals.**
- 2. Presentation of Annual Report. Mr. Motley.**
- 3. Overview of roles and responsibilities of the Board of Zoning Appeals. Mr. Motley.**
- 4. Discussion issues by Members of the Board of Zoning Appeals. Mr. Motley.**
- 5. General Discussion. City Council/Board of Zoning Appeals.**

**AT 6:10 P.M., THE ROANOKE COUNCIL MEETING WAS DECLARED IN RECESS TO BE RECONVENED AT 7:00 P. M., IN THE CITY COUNCIL CHAMBER, FOURTH FLOOR, NOEL C. TAYLOR MUNICIPAL BUILDING, 215 CHURCH AVENUE, S. W., CITY OF ROANOKE.**



***ROANOKE CITY COUNCIL  
REGULAR SESSION***

***September 17, 2001  
7:00 P.M.***

***CITY COUNCIL CHAMBER***

***AGENDA FOR THE COUNCIL***

**Call to Order -- Roll Call.** Council Member White was absent.

**The Invocation was delivered by Council Member William D. Bestpitch.**

**The Pledge of Allegiance to the Flag of the United States of America was led by Mayor Ralph K. Smith.**

**Welcome. Mayor Smith.**

**NOTICE:**

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**Adopted Resolution No. 35584-091701 expressing the support of City Council and the citizens of Roanoke for their city and their nation and directing that the Roanoke Star on Mill Mountain shine as a visible symbol of Roanoke's patriotism and pride. (6-0)**

**File #80-67**

**Adopted Resolution No. 35585-091701 electing and appointing Troy Andrew Harmon as Acting Municipal Auditor for the City of Roanoke effective 12:01 a.m., on September 28, 2001, and setting forth the terms and conditions of employment for Mr. Harmon as Acting Municipal Auditor. (6-0)**

**File #184-280**

## **A. PUBLIC HEARINGS:**

1. Public hearing on the request of Messrs. Larry Bly and W. Martin Hall that property located at 322 Bullitt Avenue, S. E., identified as Official Tax No. 4012516, be rezoned from LM, Light Manufacturing District, to C-1, Office District. Eric R. Spencer, Spokesperson.

**Adopted Ordinance No. 35586-091701. (6-0)**

**File #51**

2. Public hearing on the request of Kayser Properties, LLC, that a portion of Old Thirlane Road, N. W., bounded on the west by I-581 and the east by property identified as Official Tax No. 6520106, be permanently vacated, discontinued and closed. Jon Hager, Vice-President, Ventures, Ltd., Spokesperson.

**Adopted Ordinance No. 35587-091701. (6-0)**

**File #514**

3. Public hearing on the request of Lewis J. Pillis that a 12-foot wide alley extending between 2701 - 2729 Richelieu Avenue, S. W., identified as Official Tax Nos. 1062312 - 1062318, inclusive, be permanently vacated, discontinued and closed. Lewis J. Pillis, Spokesperson.

**Adopted Ordinance No. 35588-091701. (6-0)**

**File #514**

4. Public hearing with regard to participation in the 2001 Interest Rate Subsidy Program Bond Sale - VPSA School Financing Bonds, Series 2001B, to be used for improvements at Fairview Elementary School and Fishburn Park Elementary School. Richard L. Kelley, Assistant Superintendent for Operations, Roanoke City Public Schools, Spokesperson.

**No action taken.**

**File #53-467**

5. Public hearing with regard to granting an easement across City-owned property to CoxCom, Inc., d/b/a Cox Communications Roanoke, for the purpose of constructing, owning, and operating a communication line. Darlene L. Burcham, City Manager.

**Adopted Ordinance No. 35589-091701. (6-0)**

**File #27-166-448**

6. Public hearing with regard to the proposed vacation of a public easement on Churchill Drive, N. W. Darlene L. Burcham, City Manager.

**Adopted Ordinance No. 35590-091701. (6-0)**

**File #27-166-514**

## **B. OTHER HEARING OF CITIZENS:**

**CITY COUNCIL SETS THIS TIME AS A PRIORITY FOR CITIZENS TO BE HEARD. IT IS A TIME FOR CITIZENS TO SPEAK AND A TIME FOR COUNCIL TO LISTEN. MATTERS REQUIRING REFERRAL TO THE CITY MANAGER WILL BE REFERRED IMMEDIATELY FOR ANY NECESSARY AND APPROPRIATE RESPONSE, RECOMMENDATION OR REPORT TO COUNCIL.**

**Elaina Loritts, 4827 Rutgers Street, N. W., appeared with regard to Council's lack of respect for minorities, particularly the Roanoke City School Board Chairman and Roanoke City Public School Superintendent during a joint meeting between City Council and the Roanoke City School Board on Monday, August 20, 2001.**

**File #66-467**

**The following persons appeared and expressed concern with regard to the unfair treatment of certain city employees, and/or the closing of various fire stations within the City:**

**Tony Chapman, 1523 Compton Street, N. E., Apartment 18  
Ted Kaplan, 4862 Old Mountain Road, N. W.  
Michael F. Randolph, 1604 Staunton Avenue, N. W.  
Harold Johnson, 1726 Patterson Avenue, S. W.  
Robert Gravely, 617 Hanover Avenue, N. W.  
Annie Krochalis, 9428 Patterson Drive, Bent Mountain, Virginia  
Angela Norman, 1731 Michael Street, N. W.  
James Croan, 914 Old Country Club Road, N. W.  
Evelyn Bethel, 35 Patton Avenue, N. E.  
Perineller Wilson, 3045 Willow River, N. W.  
Helen Davis, 35 Patton Avenue, N. E.  
Jeff Artis, 1450 Lafayette Boulevard, N. W.  
File #66-70-184**

**Donald Maddox, 3540 Melcher Street, S. E., appeared and expressed concern with regard to the cost of the City's health insurance; and inquired about the closing of the fire station located on Bennington Street and Riverland Road, S. E.  
File #58-66-184**

**Chris Hynes, 405 Arbor Avenue, S. E., and Duane Howard, 508-B Walnut Avenue, S. W., commended City Council for adopting a resolution directing that the Roanoke Star on Mill Mountain shine as a visible symbol of Roanoke's patriotism and pride.  
File #67**